



General Assembly

Substitute Bill No. 5304

February Session, 2012

* HB05304ENV 032212 *

***AN ACT CONCERNING CHARITABLE CONTRIBUTIONS PAID IN LIEU
OF FINES FOR HUNTING AND FISHING VIOLATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2012*) (a) The court may, in the
2 disposition of any case concerning an alleged violation of any
3 provision of title 26 of the general statutes concerning hunting or
4 inland waters fishing, including a dismissal or the imposition of a
5 sentence, consider the fact that the defendant has made a monetary
6 contribution to the Turn In Poachers account established under section
7 2 of this act.

8 (b) In entering a nolle prosequi concerning an alleged violation
9 described in subsection (a) of this section, the state's attorney, assistant
10 state's attorney or deputy assistant state's attorney in charge of the case
11 may consider the fact that the defendant has made a monetary
12 contribution to the Turn In Poachers account established under section
13 2 of this act.

14 (c) A monetary contribution made by a defendant to the Turn In
15 Poachers account as provided in this section shall be paid to the
16 Commissioner of Energy and Environmental Protection. The
17 commissioner shall immediately transmit all contributions received
18 under this section to the State Treasurer for deposit in the Turn In
19 Poachers account.

20 Sec. 2. (NEW) (*Effective July 1, 2012*) There is established an account
21 to be known as the "Turn In Poachers account" which shall be a
22 separate, nonlapsing account within the General Fund. The account
23 shall contain any moneys required by law to be deposited in the
24 account and any funds received from any public or private
25 contributions, gifts, grants, donations, bequests or devises to the
26 account. Moneys in the account shall be expended by the
27 Commissioner of Energy and Environmental Protection to provide
28 grants to the Turn In Poachers nonprofit organization and to staff the
29 department's toll-free hotline that is used by persons to provide
30 information on poaching and other fish and game law violations.

31 Sec. 3. (NEW) (*Effective July 1, 2012*) (a) The court may, in the
32 disposition of any case concerning an alleged violation of any
33 provision of title 26 of the general statutes concerning marine waters
34 fishing, including a dismissal or the imposition of a sentence, consider
35 the fact that the defendant has made a monetary contribution to the
36 Lobster Restoration account established under section 4 of this act.

37 (b) In entering a nolle prosequi concerning an alleged violation
38 described in subsection (a) of this section, the state's attorney, assistant
39 state's attorney or deputy assistant state's attorney in charge of the case
40 may consider the fact that the defendant has made a monetary
41 contribution to the Lobster Restoration account established under
42 section 4 of this act.

43 (c) A monetary contribution made by a defendant to the Lobster
44 Restoration account as provided in this section shall be paid to the
45 Commissioner of Energy and Environmental Protection. The
46 commissioner shall immediately transmit all contributions received
47 under this section to the State Treasurer for deposit in the Lobster
48 Restoration account.

49 Sec. 4. (NEW) (*Effective July 1, 2012*) There is established an account
50 to be known as the "Lobster Restoration account" which shall be a
51 separate, nonlapsing account within the General Fund. The account

52 shall contain any moneys required by law to be deposited in the
53 account and any funds received from any public or private
54 contributions, gifts, grants, donations, bequests or devises to the
55 account. Moneys in the account shall be expended by the
56 Commissioner of Energy and Environmental Protection for the
57 purposes of the lobster restoration program established under section
58 26-157d of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	New section
Sec. 2	<i>July 1, 2012</i>	New section
Sec. 3	<i>July 1, 2012</i>	New section
Sec. 4	<i>July 1, 2012</i>	New section

Statement of Legislative Commissioners:

In sections 1(b) and 3(b), "concerning an alleged violation described in subsection (a) of this section" was inserted for clarity and in sections 1(c) and 3(c), "shall" was substituted for "may" for clarity.

ENV *Joint Favorable Subst.*